

CHAPTER 5 – ADULT CUSTODY AND SECURITY OPERATIONS
ARTICLE 7 — INMATE DEATHS, SERIOUS INJURY, OR ILLNESS NOTIFICATION

Effective January 19, 2006
Updated September 6, 2013

[Sections 51070.1 through 51070.9 are unchanged]

51070.10 Notification of Contact Listed

Revised April 9, 2014

Receiving and Release (R&R) staff in Reception Centers shall ensure that primary and alternate emergency contact information is entered in the Strategic Offender Management System (SOMS)/Electronic Records Management System (ERMS) application for each incoming inmate (new admissions and parole violators). The inmate is interviewed by R&R staff upon his/her arrival from the county and the information is entered into SOMS. The form is printed and signed by the inmate and then scanned into ERMS. If the inmate refuses either to list a next of kin or to sign the form, staff shall indicate the refusal, date and sign the form. Facility classification staff at all CDCR facilities shall ensure the Notification in Case of Inmate Death, Serious Injury, or Serious Illness is updated:

- Annually as part of the classification review process.
- Upon recommendation of transfer by a classification committee.
- Whenever an inmate advises his or her correctional counselor of a desire to change the information contained in the SOMS/ERMS application.

In the event of a death, serious injury, or serious illness, the Warden or designee at the level of Correctional Lieutenant or Correctional Counselor II or above shall use all reasonable means to contact the person(s) identified on the Notification form. The senior custodial officer shall review the inmate's C-File and Emergency Contact information contained in SOMS/ERMS and notify the contact listed as soon as possible.

- Telephone notification of contact listed should be used whenever possible. Custody staff shall not attempt to provide medical information regarding the inmate's health or cause of death, but shall refer the contact listed to the facility CME or physician designee or to the County Coroner's office. The staff member making contact shall verify the mailing address of the contact listed.
- In all cases of death, a tactfully worded letter, over the name of the Warden, shall be sent to the contact listed. Written notification shall be done by return-receipt mail.

The following format may be used in the event of a death:

(Name of contact listed)

"I regret to inform you of the death of your (relationship), name, and date. Remains have been released to (name of contracting mortuary, address and phone number of mortuary). They are awaiting further instructions for the final disposition of your (relationship) without expense to the State. If not claimed within 48 hours, disposition must be made as provided by law. Please notify (contract mortuary) whether you will claim the body. You may contact the County Coroner's Office at (Area Code) XXX-XXXX if you have questions regarding the cause of death of your (relationship). We extend our sympathy in your loss."

If notification cannot be immediately made in the aforementioned manner, the Warden or designee at the level of Correctional Lieutenant or Correctional Counselor II or above shall use all reasonable means to make contact with family members including but not limited to:

- Assigning Investigative Services Unit (ISU) staff to utilize telephone signup sheets, Inmate Monitoring and Recording Systems, searching the inmate's personal property (while preserving crime scene evidence), reviewing the inmate's visiting file, contacting the previous Parole Agent (if any), contacting the local Coroner's office, contacting the arresting agency, reviewing social media, and/or contacting the Office of Correctional Safety (OCS), etc., to locate contact information.
- Contact the appropriate consulate office if the inmate is a foreign national.
- All efforts made to locate and notify the next of kin shall be documented on a CDCR 837-C, Crime/Incident Report Part C – Staff Report or General Chrono, CDC 128-B.

If notification with the contact listed cannot be made within 72 hours, the Warden shall notify their respective Associate Director (AD) that all reasonable means for obtaining contact information have been exhausted. The AD shall make contact with the OCS for any additional assistance in locating the next of kin.

[Sections 51070.11 through 51070.16 are unchanged]

51070.17 Unclaimed Dead Body

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After all reasonable efforts have been exhausted to locate a claimant for the deceased and there is no one to direct disposition, the remains shall be considered an unclaimed dead body. If the body is not claimed for burial, at least ten days after all reasonable efforts have been exhausted to contact the individual(s) listed on the Notification in Case of Inmate Death, Serious Injury, or Serious Illness, it shall be cremated or buried by a licensed mortuary/undertaker in accordance with a previously approved service contract. In the absence of any known relative, or if not claimed by relatives, the Warden may use his/her judgment in offering the body to friends of the deceased or interested private agencies for interment at private expense or with the deceased inmate's own funds. The coroner or Department may dispose of the unclaimed body pursuant to applicable laws.

[Sections 51070.18 through 51070.20 are unchanged]